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**LAS VEGAS DEVELOPMENT GROUP, LLC**

7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

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11 LAS VEGAS DEVELOPMENT GROUP, LLC, )  
12 a Nevada limited liability company, )  
13 Plaintiff, )  
14 vs. )  
15 COLFIN AI-NV 2, LLC, a Delaware limited )  
liability company; BANK OF AMERICA, NA, )  
16 a National Banking Association, as successor by )  
merger to BAC HOME LOANS SERVICING, )  
17 LP; MTC FINANCIAL, INC., a California )  
corporation; JOHN VIDA, an individual; )  
18 FEDERAL HOME LOAN MORTGAGE )  
CORPORATION, a federally chartered )  
19 corporation; ELMER S. CASTRO, an )  
individual; JFK FINANCIAL, INC., a Nevada )  
20 Corporation; DOE individuals I through XX; )  
and ROE CORPORATIONS I through XX, )  
21 Defendants. )  
22 \_\_\_\_\_ )

Case No. 2:15-cv-01394-RFB-CWH

23 **STIPULATION AND ORDER TO EXTEND TIME**  
24 **TO RESPOND TO MOTIONS FOR SUMMARY JUDGMENT**  
(First Request)

25 COMES NOW Plaintiff, LAS VEGAS DEVELOPMENT GROUP, LLC, and  
26 Defendants, MTC FINANCIAL, INC. (“MTC”); BANK OF AMERICA, N.A. (“BANA”) and  
27 FEDERAL HOME LOAN MORTGAGE CORPORATION (“Freddie Mac”); and COLFIN AI-  
28 NV 2, LLC (“Colfin”), by and through their undersigned counsel, and hereby stipulate and agree

as follows:

1. On April 8, 2019, the Court entered a minute order setting deadlines to complete outstanding discovery and submit, respond and reply to dispositive motions. [ECF #136]. Pursuant to this minute order, Motions for Summary Judgment were to be filed on or before May 13, 2019; Responses were to be filed on or before May 22, 2019; and Replies were to be filed on or before May 29, 2019. The Court further stated that it would not entertain motions to extend or continue the deadlines absent extraordinary circumstances.
2. On May 13, 2019, MTC filed a Motion for Summary Judgment. [ECF #139].
3. On May 13, 2019, BANA and Freddie Mac filed a Motion for Summary Judgment. [ECF #140].
4. On May 14, 2019, MTC filed a Joinder to BANA and Freddie Mac's Motion for Summary Judgment. [ECF #141].
5. On May 14, 2019, Colfin filed a Joinder to BANA and Freddie Mac's Motion for Summary Judgment. [ECF #142].
6. When Plaintiff's counsel received the subject Motions for Summary Judgment, its staff did not note the shortened briefing schedule set forth in this Court's prior Minute Order. As a result, the deadline to respond to the Motions was calendared for June 3, 2019 – 21 days from receipt of the Motions – rather than May 22, 2019, as directed in the Court's Minute Order.
7. Upon discovering its error, Plaintiff's counsel has requested an extension of time until June 7, 2019, in which to respond to the subject Motions.
8. Plaintiff's counsel respectfully submits that the requested extension is warranted for a variety of reasons: (1) the calendaring error and resulting failure to timely file the Responses was the result of excusable neglect; (2) this Court and other courts have recently lifted stays and imposed briefing schedules in many cases to which Plaintiff's counsel is a party and the resulting overlapping deadlines, together with counsel's other work and personal obligations have made it

1 extremely difficult for counsel to timely meet the shortened, concurrent deadlines;  
2 (3) the number, length and scope of the Motions and the complexity of the  
3 arguments contained therein; and finally, (4) the parties have commenced  
4 settlement discussions in an effort to resolve this matter without the need for  
5 further litigation.

6 9. The requested extension is slightly longer than may be necessary because the  
7 parties hope to reach an amicable resolution and render the need for further  
8 briefing moot.

9 10. In the event that Responses are filed, Defendants shall have until June 21, 2019, in  
10 which to file Replies. This extended time is requested because Defendants'  
11 counsel are in a similar situation to that of Plaintiff's counsel, with many stays  
12 having been lifted and deadlines being concurrently imposed.

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11. This Stipulation is made in good faith and not for purpose of delay.

Dated this 24<sup>th</sup> day of May, 2019.

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IT IS SO ORDERED.

  
RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

DATED this 28th day of May, 2019.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>th</sup> day of May, 2019, I served via the United States District Court CM/ECF electronic filing system, the foregoing **STIPULATION AND ORDER TO EXTEND TIME TO RESPOND TO MOTION FOR SUMMARY JUDGMENT (First Request)** to the following parties:

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